

Court.

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT DELAWARE**

ROBERT E. BROWN, and
SHIRLEY H. BROWN,

Plaintiffs,

v.

INTERBAY FUNDING, LLC, and
LEGRECA & QUINN REAL ESTATE
SERVICES, INC.,

Defendants.

C.A. No. 04-6 17 SLR

**PLAINTIFFS MOTION TO COMPEL DEFENDANTS INTER BAY FUNDING
AND LEGRECA AND QUINN TO RESPOND TO INTERROGATORIES
PERSUANT TO FEDERAL RULES OF CIVIL PROCEDURE RULE 37.(C)
(SANCTIONS).**

Comes now, Robert E. and Shirley H. Brown, and request this Honorable Court to Compel Defendants Interbay Funding LLC and Legreca and Quinn to respond and participate in the discovery process as mandated by the Honorable Judge Susan L. Robinson.

Plaintiffs, Robert E. and Shirley H. Brown have attempted to employ the discovery process pursuant to Federal RuleS of Civil Procedure Rule 33 by the submission of interrogatories to the Defendants in the above caption.

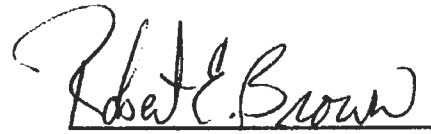
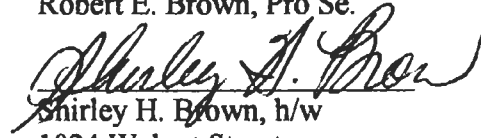
The Defendants (Interbay Funding and Legreca Quinn) have failed to participate in this process. The Defendants responses are vague, deviant, incomprehensible, perplexing, difficult, complicated, and uncooperative. The basis for Plaintiffs interrogatories to the Defendants were drafted from Interbay Fundings letter of Engagement, Legreca and Quinns letter of Acceptance of terms and conditions and the

appraisal prepared by Legreca and Quinn. According to their responses (Interbay and Legreca and Quinn) they failed to acknowledge Interbays authorship of the letter of Engagement and Legreca and Quinns authorship of the letter of Acceptance and Complete Appraisal.

Therefore, Plaintiffs request this Honorable Court to Compel Defendants (Interbay Funding and Legreca and Quinn) to respond to the Plaintiffs Interrogatories and Supplemental Interrogatories pursuant to Federal Rules of Civil Procedure Rule 37, (c)

(c) Failure to Disclose; False or Misleading Disclosure; Refusal to Admit.

(1) A party that without substantial justification fails to disclose information required by Rule 26(a) or 26(e)(1) shall not, unless such failure is harmless, be permitted to use as evidence at a trial, at a hearing, or on a motion any witness or information not so disclosed. In addition to or in lieu of this sanction, the court, on motion and after affording an opportunity to be heard, may impose other appropriate sanctions. In addition to requiring payment of reasonable expenses, including attorney's fees, caused by the failure, these sanctions may include any of the actions authorized under subparagraphs (A), (B), and (C) of subdivision (b)(2) of this rule and may include informing the jury of the failure to make the disclosure.


Robert E. Brown, Pro Se.

Shirley H. Brown, h/w
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IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF DELAWARE

Robert E. Brown and	:	
Shirley H. Brown h/w	:	
Plaintiffs,	:	
v.	:	Civil Action No. 04- 617- SLR
	:	
Interbay Funding LLC, and	:	
Legreca & Quinn Real Estate	:	
Services Inc.	:	
Defendants	:	

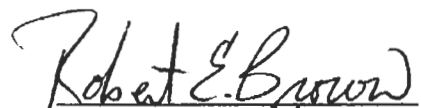
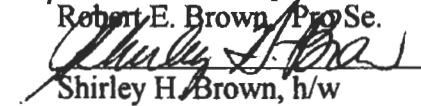
**PLAINTIFFS MOTION TO COMPEL DEFENDANTS INTER BAY FUNDING
AND LEGRECA AND QUINN TO RESPOND TO INTERROGATORIES
PERSUANT TO FEDERAL RULES OF CIVIL PROCEDURE RULE 37.(C)
(SANCTIONS).**

This is to certify that on this 3rd day March , 2005, copies of Plaintiffs Motion
to Compel Defendants Interbay Funding LLC and Legreca and Quinn, to respond to
Interrogatories were served on the following attorney's listed below:

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